

Notice of Determination

To:

XX Office of Planning and Research

U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

XX County Clerk

County of: San Joaquin
Address: 44 North San Joaquin St., Suite 260
Stockton, CA 95202

From:

Public Agency: San Joaquin Area Flood Control Agency
Address: 22 East Weber Avenue, Suite 301

Stockton, CA 95202

Contact: Chris Elias

Phone: (209) 937-8866

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: *Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.*

State Clearinghouse Number (if submitted to State Clearinghouse): 2014062079

Project Title: Addendum II to Smith Canal Gate Project Final Environmental Impact Report

Project Applicant: San Joaquin Area Flood Control Agency

Project Location (include county): Atherton Cove adjacent to Louis Park, Stockton, San Joaquin County

Project Description:

The San Joaquin Area Flood Control Agency (SJAFCA), in partnership with Reclamation Districts 1614 and 828, is proposing the Smith Canal Gate Project (the "Project") to build, operate, and maintain a fixed wall with a gate structure near the mouth of Smith Canal. The Project is located in the vicinity of Smith Canal and the San Joaquin River in and adjacent to the city of Stockton, county of San Joaquin. SJAFCA is proposing to construct the wall and gate structure to remove the area from the 100-year floodplain and meet the Federal Emergency Management Agency's minimum acceptable level of performance of withstanding a 100-year flood, which is the regulatory standard specified by the National Flood Insurance Program.

A second addendum (Addendum II) has been prepared pursuant to the California Environmental Quality Act (CEQA) to address additional design refinements to the Project. SJAFCA approved the Project and certified the associated Final Environmental Impact Report (the "Final EIR") on November 19, 2015 and approved the first Addendum to the Final EIR (Addendum I) on November 16, 2017. SJAFCA's engineering team proposed design refinements, removing optional features and revising the wall design to provide greater seismic stability and protection against liquefaction. These design refinements consist of changing the fixed wall from a dual sheet pile wall to a cellular sheet pile wall, as well as removing the tidal culverts that would have been installed through the fixed wall. These refinements are described in more detail in Addendum II.

This is to advise that SJAFCA, the CEQA Lead Agency for the Project, approved the above-described modifications to the Project, and Addendum II, on September 20, 2018, and that SJAFCA has made the following determinations regarding Project:

1. SJAFCA is the CEQA Lead Agency for the Project.
2. SJAFCA prepared Addendum II pursuant to CEQA Guidelines section 15164.

3. Addendum II concluded that implementation of the design refinements would not require preparation of a subsequent or supplemental environmental impact report pursuant to California Public Resources Code section 21166 and CEQA Guidelines section 15162.
4. No new mitigation measures were made a condition of the approval of the Project.
5. A Mitigation Monitoring and Reporting Program was originally adopted for the Project in conjunction with certification of the 2015 Final EIR, and no changes were required to the originally approved mitigation measures as a result of the modifications to the Project addressed in Addendum I. No changes are required to the originally approved mitigation measures as a result of the modifications to the Project addressed in Addendum II.
6. Findings of Fact and a Statement of Overriding Considerations were previously adopted for this Project and do not need to be modified as a result of the modifications to the Project addressed in Addendum II.

This is to certify that Addendum II, the 2015 Final EIR, and Addendum I are available to the General Public at: the SJAFCA office, located at 22 East Weber Ave., Suite 301, Stockton, CA 95202.

Signature (Public Agency): Juan Pereira Title: Executive Director, SJAFCA
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Date Signed: 9/28/18 Date received for filing at OPR: _____

Governor's Office of Planning & Research

SEP 28 2018

STATE CLEARINGHOUSE